

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 20-10177-DJC-MPK
)	
AMIN KHOURY,)	
)	
Defendant)	

JOINT INITIAL STATUS REPORT

Pursuant to Local Rule 116.5(a), the United States and defendant state as follows:

(1) Status of Automatic Discovery and Pending Discovery Requests

The government produced automatic discovery and an index of the discovery on September 30, 2020. The government produced supplemental discovery on October 6, 2020. Defendant has not yet produced any discovery to the government.

The government has requested reciprocal discovery under Fed. R. Crim. P. 16(b) and Local Rule 116.1(D). There are currently no other pending discovery requests.

(2) Timing of Any Additional Discovery To Be Produced

The government anticipates producing emails obtained by the government through a court-authorized search warrant in the next few weeks. To the extent the government obtains additional Rule 16 discovery, it will provide it to defendant pursuant to Local Rule 116.7.

(3) Timing of Any Additional Discovery Requests

Defendant is reviewing the materials produced thus far and has requested additional time to complete the review of automatic discovery and to make any additional discovery requests on the government. The government does not object to this request. The parties will propose a schedule for any discovery motions prior to the next status conference.

(4) Protective Orders

The parties have agreed the Protective Order in *United States v. Colburn, et al.*, No. 19-cr-10080-NMG (Dkt. 377), shall apply to this case and memorialized their agreement at defendant's initial appearance on September 9, 2020. *See* Dkt. 16.

(5) Pretrial Motions Under Fed. R. Crim. P. 12(b)

The parties request that the Court set a schedule for Defendant to file any pretrial motion under Fed. R. Crim. P. 12(b) after Defendant has had additional time to review the discovery provided by the government. The parties will provide a proposed briefing schedule to the Court ahead of the next status conference.

(6) Timing of Expert Disclosures

Should expert testimony prove necessary, the government agrees to make the requisite expert witness disclosures 90 days before trial, and the defendant agrees to make reciprocal discovery 30 days before trial.

(7) Speedy Trial Act Calculation

The 70-day period specified in 18 U.S.C. § 3161(c)(1) commenced on September 9, 2020, with the defendant's initial appearance and arraignment. On that day, the Court excluded all time between September 1, 2020 and November 9, 2020 from the Speedy Trial clock. *See* Dkt. 17. Accordingly, on the date of the scheduled status conference, no non-excludable delays will have elapsed, and 70 days will remain on the Speedy Trial clock.

(8) Timing of an Interim Status Conference

The parties request that the Court convene an interim status conference in approximately 90 days or at a date thereafter that is convenient for the Court. The parties ask the Court to exclude the period until that conference under 18 U.S.C. § 3161(h)(7) in order that the defendant

may have adequate time to review discovery and formulate a discovery plan, if necessary. The defendant agrees to exclude the time between November 9, 2020 and the date of the interim status conference from the Speedy Trial calculation.

Respectfully submitted,

ANDREW E. LELLING
United States Attorney

By: /s/ Kristen A. Kearney
JUSTIN D. O'CONNELL
KRISTEN A. KEARNEY
LESLIE A. WRIGHT
Assistant U.S. Attorneys

Respectfully submitted,

AMIN KHOURY

By: /s/ Eóin P. Beirne
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Date: November 2, 2020

CERTIFICATE OF SERVICE

I hereby certify that this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

Dated: November 2, 2020

/s/ Kristen A. Kearney
Kristen A. Kearney